



**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF VIRGINIA**

U.S.A. vs. Albert G. ScottDocket No. 4:21mj31

**Petition on Probation**

COMES NOW ArVonte' S. Johnson, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Albert G. Scott, who was placed on supervision by The Honorable Lawrence R. Leonard, United States Magistrate Judge, sitting in the Court at Newport News, Virginia, on the 26th day of March, 2021, who fixed the period of supervision at twelve (12) months\*, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

See Page 2.

\*Supervision began on March 26, 2021.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS  
FOLLOWING:**

See Attachment(s)

**PRAYING THAT THE COURT WILL ORDER** a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

**ORDER OF COURT**

Considered and ordered this \_\_\_\_ day of \_\_\_\_,  
20\_\_\_\_ and ordered filed and made a part of the  
records in the above case.

**2022.02.08**

*ArVonte S. Johnson*  
09:28:20  
-05'00'

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: February 8, 2022

ArVonte S.  
Johnson

Digitally signed by ArVonte S.  
Johnson  
Date: 2022.02.08 08:56:58  
-05'00'

ArVonte' S. Johnson  
U.S. Probation Officer

Place Newport News, Virginia

**TO CLERK'S OFFICE**

**Petition on Probation**

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**RE: SCOTT, Albert G.**

**OFFENSE:**

Driving Under the Influence with BAC of .14, Misdemeanor.

**SENTENCE:**

12 months probation, \$500.00 fine, and a \$25.00 special assessment.

**SPECIAL CONDITIONS:**

1. Defendant is prohibited from operating a motor vehicle on a public highway for a period of ONE YEAR.
2. Defendant is directed to participate in alcohol education/treatment as per Probation.
3. Restricted license as directed by Probation.

**ADJUSTMENT TO SUPERVISION:**

On March 26, 2021, the defendant began his term of probation. On May 7, 2021, the defendant's previous probation officer met with the defendant and reviewed his conditions of probation. On September 7, 2021, the defendant's case was transferred to this officer. On September 17, 2021, the defendant met with this officer and reviewed his conditions of probation.

Since the commencement of the defendant's term of probation, his adjustment has been unsatisfactory. The defendant has not made any payments toward his \$25 special assessment or \$500 fine, has excessively used alcohol, was arrested on February 2, 2022, by Norfolk Police Department for Driving While Intoxicated - 2<sup>nd</sup> Offense and Driving with Suspended License, and was unsuccessfully discharged from substance abuse treatment.

On September 14, 2021, this officer met with the defendant at his residence. The defendant stated he has not made any payment toward his special assessment or fine, due to being laid off from two previous employments. He reported new employment on September 4, 2021; however, stated he had not been employed long enough to make a payment toward his criminal monetary penalties. The defendant was reminded of his balance and encouraged to make a payment. On September 17, 2021, the defendant reported to the Newport News probation office and provided a random urinalysis and breathalyzer test. The defendant blew .173 and admitted to drinking the day before. A Violation Report was sent to the Court advising of the noncompliance and the defendant was instructed to complete substance abuse treatment.

On October 25, 2021, the defendant reported he was laid off from his employment due to absences. When this officer inquired about the status of his criminal monetary penalties, the defendant indicated he made a payment toward his car note and car insurance instead of making a payment toward his special assessment or fine.

On November 19, 2021, the defendant received a substance abuse evaluation with The Counseling Center, LLC and was recommended for 16 weeks of substance abuse treatment, starting December 13, 2021.

On December 6, 2021, the defendant reported making a payment of \$100.00 to the Norfolk Clerk's office; however, OPERA does not reflect this payment.

**Petition on Probation**

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**RE: SCOTT, Albert G.**

On January 6, 2022, this defendant reported new employment. He was instructed to provide employment verification; however, as of this writing, he has not provided the same.

On January 16, 2022, this officer called the defendant to inquire about his payment status for his special assessment and fine. The defendant stated he had not made any payments. This officer instructed the defendant to submit a payment toward his criminal monetary penalties no later than January 31, 2022, or the Court will be notified of his failure to pay. The defendant stated he will make a payment on January 21, 2022. This officer again requested verification of employment. As of this writing, the defendant has not provided proof of employment.

This officer attempted to contact the defendant on January 31, 2022, to inquire about the status of his payment toward his criminal monetary penalties; however, he did not answer. This officer left a voice message requesting that he return the call. The defendant returned this officer's call on February 1, 2022, and stated that he had not made a payment due to recent inclement weather; however, will make a payment.

On February 3, 2022, this officer received notification that the defendant was arrested on February 2, 2022, for Driving While Intoxicated - 2<sup>nd</sup> Offense and Driving with Suspended License and is being held at the Norfolk City Jail without bond. The defendant's next court date is scheduled for March 22, 2022. This officer notified The Counseling Center, LLC of the defendant's arrest and he was removed from treatment.

**VIOLATIONS:**

The following violations are submitted for the Court's consideration.

**MANDATORY CONDITION:**

**COMMISSION OF A CRIME - DRIVE WHILE INTOXICATED, 2<sup>ND</sup> OFFENSE and DRIVING WITH SUSPENDED LICENSE.**

On February 2, 2022, the defendant was arrested for Driving While Intoxicated, 2nd offense and Driving with Suspended License. His next scheduled court date is March 22, 2022. He is currently being held at the Norfolk City Jail located in Norfolk, Virginia, without bond.

**CONDITION #3:**

**FAILURE TO BE TRUTHFUL AND FOLLOW INSTRUCTIONS OF THE PROBATION OFFICER.**

On December 6, 2021, the defendant reported making a payment of \$100.00 to the Norfolk Clerk's office; however, OPERA does not reflect this payment.

On January 6, 2022, this defendant reported new employment. He was instructed to provide verification of employment; however, as of this writing, he has not provided the same.

On January 16, 2022, this officer called the defendant to inquire about his payment status for his special assessment and fine. The defendant stated he had not made any payments. This Officer instructed the defendant to submit a payment toward his criminal monetary penalties no later than January 31, 2022, or the Court will be notified of his failure to pay. The defendant stated he would make a payment on January 21, 2022. This officer again requested proof of employment. As of this writing, the defendant has not provided verification of employment.

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**RE: SCOTT, Albert G.**

**CONDITION #7:**

**FAILURE TO REFRAIN FROM EXCESSIVE USE OF  
ALCOHOL.**

On September 17, 2021, the defendant reported to the Newport News probation office and provided a random urinalysis and breathalyzer test. The defendant blew .173 and admitted to drinking the day before. A Violation Report was sent to the Court advising of the noncompliance and the defendant was instructed to complete substance abuse treatment.

On February 2, 2022, the defendant was arrested for Driving While Intoxicated in Norfolk, Virginia. According to the police report, his BAC was .28.

**SPECIAL CONDITION #2:**

**FAILURE TO COMPLETE ALCOHOL  
EDUCATION/TREATMENT.**

On February 3, 2022, the defendant was removed from substance abuse treatment due to his recent arrest and being held without bond.

ASJ/bwm